



Mack H. Shumate, Jr.  
Senior General Attorney, Law Department

December 16, 2009

VIA E-Filing

The Honorable Cynthia T. Brown  
Chief, Section of Administration  
395 E Street, S.W., Room #100  
Washington, DC 20423-0001

226165

### NOTICE OF CONSUMMATION

**Re: Proposed Abandonment of the Bonham Industrial Lead from Milepost 21.5 to Milepost 21.8, a distance of 0.3 miles, near New Boston, Bowie County, Texas; STB Docket No. AB-33 (Sub-No. 271X)**

Dear Ms. Brown:

This is to advise that in accordance with 49 CFR 1152.29(e)(2), as of November 6, 2009, the Union Pacific Railroad Company, ("UP") with regard to the subject Abandonment Exemption, has consummated the abandonment of the Bonham Industrial Lead from Milepost 21.5 to Milepost 21.8, a distance of 0.3 miles, near New Boston, in Bowie County, Texas, pursuant to authority granted in the Surface Transportation Board's ("Board's") Decision served November 10, 2008. This matter was reopened by late release decision served March 5, 2009 as received by this office on March 6, 2009 under which the Board removed the Section 106 historic preservation condition. A copy of this notice is being served concurrently with the Director of Transportation, Planning and Programming, Texas Department of Transportation ("Texas DOT").

The objective of this minimal abandonment and the related discontinuance of service on the Line by Dallas, Garland and Northeastern Railroad Company ("DGN"), a lessee of the Line, STB Docket No. AB-585 (Sub-No. 3X) is to permit the State of Texas to reduce the size and expense of a replacement bridge on Highway 8 in New Boston.

UP respectfully requests an extension of time to file this Notice of Consummation to December 16, 2009, the date of this filing. The reasons for this late filing of consummation are twofold. First, the attorney who worked on this abandonment was in transition from counsel to UP to counsel to the Board. Second, the active railroad preparing the Combined Environmental Report and Notice of Exemption was counsel to DGN, not UP. Upon review of pending abandonment files, it was discovered that this consummation notice was overlooked in the transition process.

Sincerely yours

cc: Texas Department of Transportation

o:\abandonments\33-271X\NoticeOfConsummation.doc